

IAIA PUBLIC PARTICIPATION BEST PRACTICE PRINCIPLES

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Author: Pierre André with the collaboration of Bert Enserink, Des Connor and Peter Croal.

INTRODUCTION

This IAIA Public Participation (PP) Best Practice Principles document is organized in two parts.

Part 1

The first part defines PP and relevant terms, and emphasizes on the PP objectives in environmental assessment (EA). It also describes the purposes, aims, and approach used to develop these Principles and guidelines.

Part 2

The second part provides the Principles of PP Best Practice.

PART 1 DEFINITIONS, PURPOSE, AIMS AND APPROACH

1.1 Definitions

Public involvement:

« A process for involving the public in the decision-making process. » (Roberts 2003)

Public participation:

Within a decision-making process, the involvement of individuals and groups that are both positively or negatively affected by a planned intervention (e.g. a project, a program, a plan, a policy) or are interested in it. Levels of participation in EA varies from passive participation (an unidirectional form of participation), to participation through consultation (such as public hearings and open-houses) and to interactive participation (such as workshops, negotiation, mediation and co-decision).¹ Different levels of PP may be relevant for the different phases of the EA process, from the community analysis and the notice of the planned intervention to the decision making, and even to the monitoring and follow-up stage. Public participation contributes to better projects, better development and collaborative governance. To be successful,² it requires access to information, consideration in decision making and access to justice.

¹ "Arnstein (1969) was the first to identify the 'ladder of citizen participation', which ranged from persuasion at the one end of the spectrum to self-determination at the other end. This is the strongest form of public participation where the process is directly undertaken by the public with the proponent accepting the outcome." (Roberts, 2003: 259-260). For the purpose of this document, we have drawn on the text from Pretty (1993) and André et al. (2004). We believe that persuasion as well as self-determination are not relevant to PP in EA, the higher level of participation being in rare cases co-decision or shared decision-making. Note that consultation is one form of participation.

² PP does not include the manipulation of public opinion by public relations techniques or by limiting the freedom to participate.

Environmental Assessment:

“A systematic process that consist of evaluating and documenting the possibilities, capacities and functions of resources and of natural systems³ in order to facilitate the planning of sustainable development” (Sadler 1996:12). EA includes a number of processes that aim at incorporating the environment into the planning of the operations and the development of planned interventions. Among these specific forms are environmental impact assessment (EIA), strategic environmental assessment (SEA), life-cycle assessment (LCA), and environmental management systems (EMS). The general EA form as well as the specific forms (e.g. EIA) “are understood to include risk, social, economic, cultural, health and other relevant factors” (Sadler 1996:13). EA also includes sector-specific impact assessment such as HIA, SIA.

Environment:

“An organized, dynamic and changing system of natural factors (physical, chemical, biological) and human factors (economic, political, social, cultural) where living organisms function and human activities take place, and which have had an effect or an influence upon these human beings or upon human activities at a specific moment in time, and within a defined geographical space, directly or indirectly, immediately or in the future.” (Vaillancourt 1995).

Effective Communication:

“By communication is here meant the mechanism through which human relations exist and develop—all the symbols of the mind, together with the means of conveying them through space and preserving them in time. It includes the expression of the face, attitude and gesture, the tones of the voice, words, writing, printing, railways, telegraphs, telephones, and whatever else may be the latest achievement in the conquest of space and time.” (Cooley, 1909: 61-65).⁴ To be effective, communication between EA actors (e.g. public, proponent, decision maker, regulator) should give attention to active listening and to the different actors’ frame of reference and connotation of terms, their attitudes towards others, their roles and relationships between roles, the general situation in which the communication takes place and its goal, as well as their state of preparation. Effective two-way communication needs respect of others, and of their culture, tradition and personalities.

1.2 Objectives of Public Participation

Public participation is essential for good governance. PP in EA is *multi-purposive* aiming specifically to :

- Invite affected and interested people into the decision-making process to foster justice, equity and collaboration;
- Inform and educate the public on the planned intervention and its consequences;
- Gather data and information from the public about their human (including cultural, social, economic and political dimensions) and biophysical environment, as well as about the relations (including those related to traditional and local knowledge) they have with their environment;
- Seek input from the public on the planned intervention, including its scale, timing and ways to reduce its negative impacts and to increase its positive benefits;
- Contribute to better analysis and more creative development, and consequently to a better public acceptance and support.
- Contribute to mutual learning of all parties and to improvement of the PP and EA practice.

³ André et al. (2004) think that this definition limits EA to the biophysical parts of the environment. They suggest to change « natural system » by « natural and human system ».

⁴ Cooley’s paper is available through The Mead Project, Dept. Sociology, Brock University, St. Catharines, Canada, <http://spartan.ac.brocku.ca/~lward/>. Among the “latest achievements in the conquest of space and time”, we should include all the new telecommunication means such as Internet, and the interactive means with computers such as GIS, games and simulations.

1.3 Purpose and aims of the PP Best Practice Principles

As the premier organization in the field of environmental assessment (EA), IAIA plays a leading and proactive role in the improvement and dissemination of EA concepts and practices. In 1999, IAIA introduced a collection of documents on best practices in different domains of EA, namely Environmental Impact Assessment, Strategic Impact Assessment and Social Impact Assessment. These best practice documents are available on the IAIA's Website, www.iaia.org, and are intended to provide widely agreed guidance to IAIA members and others involved in the practice of EA.

Public Participation has been recognized as one of the basic elements of EA. In IAIA's *Principles of EIA Best Practice* (1999), the following basic principle has been stated :

« EIA should be **Participative** - the process should provide appropriate opportunities to inform and involve the interested and affected publics, and their inputs and concerns should be addressed explicitly in the documentation and decision making. »

This *PP Best Practice Principles* document has been developed in accordance with this IAIA priority, and in conformity with IAIA strategic planning for 2003-2004.

The *PP Best Practice Principles* is designed primarily for reference and use by those involved in public participation within the context of EA. It aims to promote a meaningful practice of public participation. Accordingly, the principles presented here are broad, generic, and non-prescriptive; they emphasize PP as a pillar of EA, and are intended to be applicable to all levels and types of proposals (including at the strategic level), with respect to the constraints of time, information and resources.

1.4 Approach

The IAIA *PP Best Practice Principles* project has been discussed at the IAIA'03 meeting in Marrakech (Morocco) during the Public Participation Section meeting. On this occasion, the participants recommended to the co-chairs (P. André and B. Enserink) of this section meeting and to IAIA to develop principles for PP best practice, in collaboration with interested IAIA members. Pierre André (Université de Montréal, Canada), Bert Enserink (TuDelft, The Netherlands), Des Connor (IAIA's PP section chair, Connor Development Services, Canada), and Peter Croal (Southern African Institute for Environmental Assessment, Namibia) jointly accepted to coordinate this exercise. Many other members have been involved in the process by reacting to the successive drafts. In April 2004, the preliminary document will be discussed during a PP workshop and PP section meeting at the IAIA'04 Annual Meeting to be held in Vancouver (Canada). The IAIA Council will then consider the adoption of these principles.

The coordinators would like to acknowledge the following IAIA members for their input into the process: Dianne Buchan, Réal Courcelles, Mariëlle de Sain, Richard Fristik, Margriet Hartman, John Sinclair, Frank Vanclay... IF YOU COMMENT THIS WORKING DRAFT, YOUR CONTRIBUTION WILL BE ACKNOWLEDGED HERE ...Their participation has contributed significantly to the development of these principles. NOTE: WE WILL HAVE TO ADD THE COLLABORATION WITH the International Association for Public Participation (IAP2). WE WILL SEEK THIS COLLABORATION ON THE NEXT VERSION (AFTER IAIA'04) DUE TO DELAYS.

PART 2

PRINCIPLES OF PUBLIC PARTICIPATION BEST PRACTICE

2.1 Introduction to the Principles

Three tiers of PP Principles are included in this document: *Foundation*, *Operating* and *Development*.

Foundation Principles apply to all stages of PP in EA process from strategic level to operational level. The Foundation Principles recognizes that these levels are interdependent and, in some cases, may conflict. A balanced approach is critical when applying the PP Principles to ensure that EA fulfills its purpose and is carried out to internationally accepted standards.

Operating Principles describe how the PP Foundation Principles should be applied to the main steps and specific activities of the EA process.

Development principles identify key directions for the improvement of public participation in EA. It is envisaged that subsequent tiers of Principles could evolve, e.g., “activity-specific”, “state-of-the-art” and “next generation” of PP principles. However their development would constitute a separate effort, building on and extending the Foundation and Operating Principles presented below.

2.2 Foundation Principles

Contemporary public participation practice in EA should:

- Recognize the public has a right to be informed and proactively involved in a meaningful way in proposals which may affect their lives or livelihoods;
- Recognize the public is heterogeneous according to their demographics, knowledge, power, values and interests;
- Respect the historical, cultural, environmental, political and social backgrounds of the communities which are affected by a proposal;
- Ensure the participation or the defence of the interests of all parties including indigenous peoples, women, children and poor people, as well as challenging future generations and absent people;
- Follow the rules of effective communication among people, in the respect of all individuals and parties;
- Promote cooperation rather than confrontation, enlighten divergences and conflicting values as well as try to reach a win-win decision that promotes and supports sustainable development;
- Contribute to a mutual respect and understanding of actors' (including the public, the proponent, the decision-maker and the regulator) values, interests, rights and obligations;
- Improve the proposal under study, taking into account the results of the PP process;
- Report to the actors the results of the PP process, particularly on the way their inputs have contributed to the decision making.

2.3 Operating Principles

In respect to the foundation principles previously identified, public participation should be:

- *Initiated very early into the life-cycle of a planned intervention, and sustained during its entire life:* Involving people early and regularly in the process builds trust among participants, gives more time for PP, improves community analysis, improves screening and scoping of the EA, increases opportunities to modify the proposal in regards to the comments and opinions gathered during the PP process, reduces the risk of rumors, and improves the public image

of the proponent. It can also give the decision maker more confidence in the decision he or she must take.

- *Well planned and structured*: All actors should know the aims, rules, organization, procedure and expected outcomes of the PP process undertaken. This will improve the credibility of the process for the actors.
- *Tiered and optimized*: A PP program related to a proposal should take place at the most efficient level of decision-making (e.g. at the policy, plan, program or project level), and people should be invited to participate regularly, with emphasis on critical time. Because PP participation is resource consuming (human, financial, time) for all the EA actors (proponent, public, decision maker), PP optimization will make actors more willing and eager to participate.
- *Open and transparent*: All people affected by a proposal, whatever their language, ethnic origin, gender and income, should have access to the relevant information required for the evaluation of a proposal (e.g. EA ToR, EA report and summary) and should be able to participate in relevant workshops, meetings and hearings related to the EA process.
- *Adapted to human (cultural, political, economic, political...) context concerned with the proposal*: Because many communities have their own formal and informal rules for public access to resources, conflict-resolution and governance, PP needs to be adapted to the human organization of the impacted communities. Such an attention shows a respect for the affected community. It may improve public confidence into the process and its outcomes.
- *Led by the relevant authority in its formal or traditional sense*: PP needs to follow some rules of ethics, professional behaviour or moral obligations. Such rules driven by the relevant authorities improve impartiality of the process, justice and equity in the right to information. The application of these rules by such a relevant authority increases the confidence of the affected and interested parties to express their opinions, as well as to reduce tensions and conflicts among participants, and opportunities for corruption.

PP should also:

- Invite and stimulate participation of all affected and interested parties;
- Not ignore absent people who may be affected by the proposal itself or by the modifications proposed;
- Support people in their will to participate through an adequate diffusion of information on the proposal and on the PP process, and a just and equitable access to a PP funding program.

2.4 Development Principles

For improving the outcomes of public participation, all actors should promote:

- Better access to useful and relevant information for affected and interested parties. We recognize here that even if information is actually generally available, it needs some improvement to be more focused and relevant to the decision-making process;
- Higher level of involvement, from passive participation (e.g. information diffusion or gathering) toward more active and integrated participation (e.g. co-decision, co-management) in the decision making;
- Freedom of expression that assures no reprisals against or among participants;
- Access to justice and equity.

References (Any to add?)

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